

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
COURTNEY CANNON

ORDER

July 19, 2023

This matter came before the Board based upon the dismissal of the Employee from her employment with the Alabama Department of Veterans Affairs ("ADVA"). The Employee was dismissed from her employment on March 22, 2023, based upon charges contained in a letter dated March 20, 2023. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on June 22, 2023. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

ADVA charges that the Employee violated State Personnel Board (SPB) Rules: 670-X-19-.01(a)(2) – (Tardiness); 670-X-19-.01(a)(3) – (Inattention to job); 670-X-19-.01(a)(4) – (Failure to perform job properly); 670-X-19-.01(1)(a)(8) – (Violation of specific department rules); 670-X-19-.01(b)(2) – (Insubordination); 670-X-19-.01(b)(8) – (Sleeping on the job); and 670-X-19-.01(b)(10) – (Serious violation of any other departmental rule). Additionally, the Employee violated several ADVA Policies and Procedures.

A review of the Employee's recent work history shows: three (3) Verbal Counselings in October 2022, December 2022, and January 2023 for performance issues, tardiness, failure to notify her employer she was going to

be late to work, and sleeping on the job; and one (1) Written Counseling in January 2023 for performance issues, tardiness, and failure to notify her employer she was going to be late to work.

The Employee was employed by ADVA as an Administrative Support Assistant I. At the beginning of her employment, the Employee did not accomplish tasks quickly, but appeared to work hard to learn and complete her tasks. After her probationary period, her effort, performance, and attitude began to wane. The Employee had many performance issues, which included not completing work in a timely fashion, poor time management, sleeping on the job, and consistently being either tardy or not at work. The Employee was tardy 69 days and absent 21 days of the 120 days she worked. The Employee, on multiple occasions, was seen sleeping on the job and was even sent home one day because she could not stay awake. The Employee was afforded many opportunities to improve her performance by ADVA.

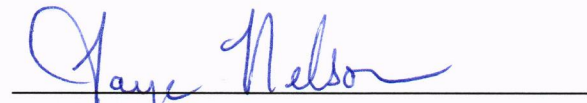
The Employee failed to appear for her hearing before the Administrative Law Judge even though she received proper notice. However, the Administrative Law Judge heard testimony from the appointing authority. The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. The Board hereby adopts by reference the findings of fact and

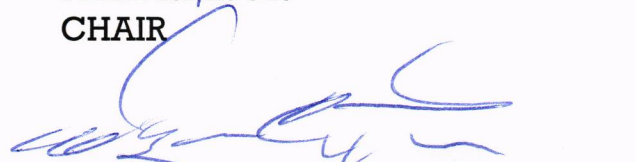
conclusions of law as found by the Administrative Law Judge as a part of this Order as if fully set forth herein.


The Board has carefully considered the Administrative Law Judge's Recommended Order and is of the opinion that the decision of the appointing authority to dismiss the Employee is supported by the evidence and that the termination is warranted.

It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby affirmed.


JACKIE GRAHAM
SECRETARY


FAYE NELSON
CHAIR


MYRON PENN
MEMBER


EVAN M. THORNTON
MEMBER

DAVID R. MELLON
MEMBER


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